

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA	§	PLAINTIFF
	§	
v.	§	CAUSE NO: 1:08cv1463LG-RHW
	§	
\$7,708.78 IN U.S. CURRENCY, ET AL	§	DEFENDANT PROPERTY

**ORDER DISMISSING CERTAIN REAL PROPERTY
FROM FORFEITURE AND CANCELLATION OF LIS PENDENS**

BEFORE THE COURT is the Government's Motion [100] to Dismiss Certain Real Property From Forfeiture and Cancellation of the Lis Pendens for the parcel described below. The Court finds that the motion is well taken and should be granted.

IT IS THEREFORE ORDERED AND ADJUDGED that the following property is hereby released and dismissed from this civil forfeiture action without prejudice and the Lis Pendens filed is hereby cancelled accordingly.

REAL PROPERTY

PARCEL NO. 21: Located at 3921 Bienville Blvd., Ocean Springs, MS

Lot 7, No. 1346 Subdivision, a Subdivision according to the official Map or Plat thereof on file and of record in the Office of the Chancery Clerk of Jackson County, Mississippi in Plat Book 21 at Pages 1 and 2. Together with the easements for access, ingress and egress as provided for in that certain Easements with Covenants and Restrictions affecting land ("ECR") between Wal-Mart Real Estate Business Trust, Wal-Mart Stores East, Inc., and W.R.H. Properties, Inc., dated October 15, 1998 and recorded in Deed Book 1156, at Page 122. And amendment to Easements with Covenants and Restrictions affecting land ("ECR") dated February 8, 2001, recorded in Deed Book 1238 at Page 58, and also second amendment to Easement with Covenants and Restrictions affecting land ("ECR") dated as of April 2, 2003, recorded in Deed Book 1299 at Page 764. Together with an appurtenant 5 foot utility easement as provided for in that certain easement dated February 25, 2002, and recorded in Deed Book 1264, at page 536. Together with appurtenant easements for parking and ingress and egress as provided for in the certain ingress and egress easement dated March 23, 2001, and

recorded in Deed Book 1235, Page 312. Together with those easements shown on the recorded Subdivision Plat of No. 1346 Subdivision, recorded in Plat Book 21, on Pages 1 and 2 of the Land Records of Jackson County, City of Ocean Springs, Mississippi.

SO ORDERED AND ADJUDGED this the 9th day of March, 2010.

s/ *Louis Guirola, Jr.*

Louis Guirola, Jr.

United States District Judge